

Message Text

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ACTION AF-06

INFO OCT-01 ISO-00 EB-07 /014 W
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R 131619Z MWR 75
FM AMEMBASSY MONROVIA
TO SECSTATE WASHDC 4936
INFO USDOC WASHBC

C O N F I D E N T I A L MONROVIA 1372

E.O. 11652: GDS
TAGS: BDIS, LI, US
SUBJECT: A.S. INDUSTRIES CASE

REF: (A) STATE 053151; (B) USDOC 3092; (C) MONROVIA 0166;
(D) MONROVIA 7385

1. UPON RECEIPT OF REF B, COMMERCIAL ATTACHE ONCE AGAIN ATTEMPTED CONTACT DARAMEY (DARAME OR DARAMY) AND TRIED AGAIN AFTER RECEIPT OF REF A. RESULTS WERE ESSENTIALLY SAME REPORTED REF C, WITH INHABITANTS OF NEWPORT ST. ADDRESS SAYING DARAMEY QTE JUST OUT, BUT WILL RETURN SMALL UNQTE. EVEN IF DARAMEY CONTACTED, IT SEEMS DOUBTFUL IF HE WOULD BE WILLING OR ABLE SHED MUCH LIGHT ON CASE.

2. WE SUGGESTED REF D THAT US PARTIES RETAIN LOCAL LEGAL COUNSEL, AND REITERATED OUR WILLINGNESS COOPERATE WITH ATTORNEY IN CASE (REF C). WE HAVE NOT RECEIVED NOTIFICATION OF ATTORNEY FOR COHEN AND INGBER, BUT INFER FROM COPY OF CABLE (PROVIDED BY USDOC) FROM COHEN TO A. B. TOLBERT DATED JANUARY 26, 1975, THAT COHEN CONSIDERS TOLBERT QTE MY LAWYER UNQTE. IS TOLBERT IN FACT REPRESENTING COHEN, AND SHOULD EMBASSY CONTACT TOLBERT? THIS SEEMS CHANCEY POLITICALLY AND LEGALLY AND PROBABLY COUNTERPRODUCTIVE IF A. B. TOLBERT INVOLVED IN IRREGUALR DEAL (REF D, PARA 1 AND REF C, PARA 4). FOR THESE REASONS AND BECAUSE OF AMERICAN CONGRESSIONAL INQUIRY WE APPRECIATE DEPARTMENT'S INTEREST (REF A).

3. IN ABSENCE OF LOCAL LEGAL REPRESENTATION FOR INGBER AND
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COHEN WITH WHOM EMBASSY CAN WORK, EMBASSY CAN MAKE ROUTINE

INQUIRY AT CUSTOMS. ALTHOUGH WE QUESTION WHETHER THIS WOULD BE PRODUCTIVE, WE COULD SHOW CUSTOMS OFFICIALS COPY OF CUSTOMS RECEIPT (PROVIDED BY INGBER AND FORWARDED BY COMMERCE) AND ASK WHAT HAPPENED TO THE DIAMONDS. WE COULD ALSO PRESENT FACTS AS WE KNOW THEM TO FINANCE MINISTER TOLBERT (AS SUGGESTED REF C), BUT FRANKLY, WE HAVE LITTLE IN THE WAY OF DOCUMENTATION TO PRESENT TO ANYONE.

4. FOR DEPARTMENT INFORMATION, WE WILL REVIEW INFORMATION NOW IN OUR HANDS: STATE 279972 INFORMED US OF INITIAL COMPLAINT AND COMMERCE SUBSEQUENTLY SENT US (A) A COPY OF A LETTER FROM OMAROU JAWARA (WHO CLAIMS TO BE DARAMEY'S BROTHER) TO COHEN SAYING THAT DARAMEY HAS BEEN ARRESTED; (B) A COPY OF A LETTER FROM COHEN TO CONGEN SYLVESTER JARRETTE EXPLAINING PROBLEM; AND (C) BUREAU OF CUSTOMS EXPORT ENTRY SHOWING RECEIPT OF \$609,680 IN CASH FOR ROYALTIES ON 33,260 CARATS OF DIAMONDS. WE RESPONDED BY REFS C AND D, AND SUBSEQUENTLY RECEIVED FROM COMMERCE BY OM FEBRUARY 3 AND DIB-451L FEBRUARY 7, (A) A CERTIFIED COPY OF THE CUSTOMS ENTRY; (B) CERTIFIED COPIES OF FIVE CANCELED CHECKS BY COHEN (THREE PAYABLE TO CASH FOR \$36,000 TOTAL AND TWO PAYABLE TO FREEMAN FOR \$1,500 TOTAL; (C) COPY OF CABLE FROM INGBER TO CUSTOMS ASKING TO SHIP DIAMONDS; (D) COPY OF RECEIPT FOR ABOVE CABLE WITH NAME CARDS OF DARAMEY AND TOLBERT; (E) COPY OF CABLE FROM QTE MATHEW UNQTE TO DARAMEY SAYING HE AWAITING DIAMONDS; (F) CABLE DATED AUGUST 26 FROM DARAMEY TO COHEN SAYING HE HAS NICE DIAMONDS; (G) CABLE DATED AUGUST 29 TO COHEN SAYING SOMEONE HAS QTE NICE PARCEL ABOUT 200000 DOLLARS UNQTE; (H) CABLE FROM DARAMEY TO COHEN SAYING HE NEEDS \$2,000 FOR FATHER'S MEDICAL EXPENSES; (I) CABLE FROM COHEN TO A. B. TOLBERT ASKING HIS HELP IN RECOVERING DIAMONDS THAT WERE QTE STOLEN FROM CUSTOMS IN LIBERIA UNQTE AND ASKING WHAT HIS FEE WILL BE FOR SERVICES; AND (J) LETTER FROM LASANAH JAWARA, 56-60 W. 119 STREET, APT 3B (ADDRESSEE UNKNOWN) SAYING THAT DARAMEY HAS WRITTEN HIM ABOUT HIS LEGAL TROUBLE. WE FIND ALL THIS SOMEWHAT CONFUSING AND OFFERS PRECIOUS LITTLE TO GO ON TO CONDUCT INVESTIGATION OF CASE.

5. WE DO NOT HAVE: (A) ANYTHING BUT ALLEGATIONS TO INDICATE TOLBERT INVOLVED (ALTHOUGH IT DEFINITELY HIS STYLE); (B) DOCUMENTS SHOWING RECEIPT OF DIAMONDS BY ANYONE; (B) BILL OF CONFIDENTIAL
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SALE OR ANY LEGAL CONTRACT FOR LEGAL SERVICES; (D) SHIPPING DOCUMENTS; OR (E) IN SHORT, ANYTHING TO INDICATE WHAT HAPPENED. WE STILL PUZZLED BY FAILURE OF INGBER AND COHEN TO RETAIN LOCAL ATTORNEY IN CASE, BUT CAN UNDERSTAND THEIR RELUCTANCE IF THEY HAVE NOTHING FURTHER TO GO ON THAN THAT PROVIDED TO EMBASSY.

6. FYI: MINISTRY OF LANDS AND MINES ANNUAL REPORT FOR 1974 GIVES TOTAL VALUE OF LIBERIAN DIAMOND EXPORTS OF \$29.94 MILLION AND ROYALTIES ON DIAMOND EXPORTS OF \$898,613.29. IF A.S.

INDUSTRIES DEAL WERE INCLUDED IN THESE STATISTICS IT WOULD
REPRESENT ROUGHLY ONE-THIRD OF EXPORTS AND SIXTY-EIGHT PERCENT
OF ROYALTIES FOR LIBERIA FOR ENTIRE YEAR. END FYI.

7. ACTION REQUESTED: WOULD APPRECIATE DEPARTMENT (A) REVIEW
FACTS IN CASE, (B) ASCERTAIN NAME OF LEGAL REPRESENTATIVE (IF
ANY) OF INGBER AND COHEN IN LIBERIA, AND (C) ADVISE EMBASSY
OF FURTHER ACTION WE SHOULD TAKE.
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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 13 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: buchandr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975MONROV01372
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: n/a
Film Number: D750089-0009
From: MONROVIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750395/aaaagqlqz.tel
Line Count: 128
Locator: TEXT ON MICROFILM, TEXT ON-LINE
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 STATE 053151, 75 USDOC 3092, 75 MONROVIA 0166
Review Action: RELEASED, APPROVED
Review Authority: buchandr
Review Comment: n/a
Review Content Flags:
Review Date: 13 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 MAY 2003 by ElyME>; APPROVED <08 OCT 2003 by buchandr>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> mcm 971001
Subject: A.S. INDUSTRIES CASE
TAGS: BDIS, LI, US, BDIS
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006